

SENATE BILL REPORT

SHB 1082

As Reported by Senate Committee On:
Health & Long Term Care, April 1, 2019

Title: An act relating to the licensure and certification of massage therapists and reflexologists.

Brief Description: Concerning the licensure and certification of massage therapists and reflexologists.

Sponsors: House Committee on Health Care & Wellness (originally sponsored by Representatives Kraft, Wylie, Harris, Cody, Vick and Hoff).

Brief History: Passed House: 3/13/19, 94-2.

Committee Activity: Health & Long Term Care: 3/27/19, 4/01/19 [DPA].

Brief Summary of Amended Bill

- Requires licensed massage therapists and certified reflexologists to have government-issued photo identification on their person or immediately available for inspection when practicing massage therapy or reflexology.

SENATE COMMITTEE ON HEALTH & LONG TERM CARE

Majority Report: Do pass as amended.

Signed by Senators Cleveland, Chair; Randall, Vice Chair; O'Ban, Ranking Member; Bailey, Becker, Conway, Dhingra, Frockt, Keiser, Rivers and Van De Wege.

Staff: LeighBeth Merrick (786-7445)

Background: Massage therapists are licensed by the Department of Health (DOH) to practice massage, which involves the external manipulation or pressure of soft tissue for therapeutic purposes. To be issued a massage therapy license, an applicant must provide proof to DOH they have successfully completed an approved massage therapy program or apprenticeship, successfully completed an examination approved by the board, and are at least eighteen years old. Massage therapists must clearly display their massage therapy license at their place of business or have a copy of the license available while they are practicing.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Reflexologists are certified by DOH to practice reflexology, which is a health care service limited to applying alternating pressure with thumb and finger techniques to reflexive areas of the lower extremities, feet, hands, and outer ears based on reflex maps. To be issued a reflexology certification, an applicant must provide proof to DOH they have successfully completed an approved reflexology program, successfully completed an approved examination, and are at least eighteen years old. Reflexologists must clearly display their reflexology certification at their place of business or have a copy of the certification available while they are practicing.

Summary of Amended Bill: A massage therapist or reflexologist must have a government-issued photo identification on their person, or available for inspection by city, county, or state law enforcement or DOH personnel, at all times when practicing massage therapy or reflexology. The photo identification must have the same name as the massage therapy license or reflexology certification.

EFFECT OF HEALTH & LONG TERM CARE COMMITTEE AMENDMENT(S): Limits the law enforcement who may inspect photo identification to city, county, or state law enforcement.

Appropriation: None.

Fiscal Note: Available.

Creates Committee/Commission/Task Force that includes Legislative members: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony on Substitute House Bill: *The committee recommended a different version of the bill than what was heard.* PRO: Victims of human trafficking are being misrepresented as licensed massage therapists and certified reflexologists. This bill gives law enforcement and DOH a tool to use to identify individuals that are legitimately working as massage therapists and reflexologists and to combat human trafficking. There are two bilingual Chinese massage therapy schools in the state and it is important that the Legislature recognize they are practicing massage legitimately.

CON: There is discrepancy between the story that is used as the basis for this bill and the events that actually occurred. This bill discriminates against massage therapists.

Persons Testifying: PRO: Melanie Stewart, American Massage Therapy Association—Washington Chapter; Brian Enslow, City of Vancouver; Anne McEnery-Ogle, Mayor of Vancouver; Lavon Watson, Watson Consulting Services; Darlene Lewis, Fourth Monkey Enterprises dba AMT.

CON: Tom Bird, citizen.

Persons Signed In To Testify But Not Testifying: No one.